

Austin, Texas, March 29, 1939.
Hon. R. Emmett Morse, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 701, "An Act to amend
Article 1334, Revised Civil Statutes of
Texas, of 1925, so as to authorize fac-
simile signatures and seals on stock
certificates signed by a transfer agent
and registrar, and prescribing the con-
ditions for the use of such facsimiles,
and declaring an emergency."

Has carefully compared same and
finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 29, 1939.
Hon. R. Emmett Morse, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 711, "An Act to provide
a more adequate and equitable salary
of County Superintendents of Public
Instruction; and providing that said
salary may be fixed by the County
Board of Education in all of those
counties of the State of Texas coming
within the brackets and population
figures herein named; and repealing
all laws and parts of laws in con-
flict herewith, and declaring an emer-
gency."

Has carefully compared same and
finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 29, 1939.
Hon. R. Emmett Morse, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 687, "An Act giving civil
jurisdiction to the Criminal District
Court of Jefferson County of suits
and causes in matters of divorce, de-
pendent and delinquent children, adop-
tion, and habeas corpus in civil pro-
ceedings; providing for the transfer
and trial of such causes and the duties
of the officers of the Court; providing
for the civil procedure therein in ac-
cordance with the General Civil Stat-
utes and Article 2092, Revised Civil
Statutes of Texas of 1925, and provid-
ing for appeals in civil matters to
the Court of Civil Appeals for the
Ninth Supreme Judicial District of

Texas, and declaring an emergency."
Has carefully compared same and
finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 29, 1939.
Hon. R. Emmett Morse, Speaker of
the House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 660, "An Act providing
the salary of County Superintendents
of Public Instruction in certain coun-
ties, according to the last preceding
Federal Census, and according to area
in square miles of such counties; re-
pealing all laws and parts of laws in
conflict, to the extent of the conflict
only, and declaring an emergency."

Has carefully compared same and
finds it correctly enrolled.

HAMILTON, Chairman.

SENT TO THE GOVERNOR

March 29, 1939

House Bill No. 660.

House Bill No. 711.

House Bill No. 687.

House Bill No. 701.

House Concurrent Resolution No. 30.

House Concurrent Resolution No. 65.

House Concurrent Resolution No. 70.

FORTY-SIXTH DAY

(Thursday, March 30, 1939)

The House met at 10:00 o'clock a.
m., pursuant to adjournment, and was
called to order by Speaker Morse.

The roll of the House was called,
and the following Members were pres-
ent:

Mr. Speaker	Bray
Allen	Bridgers
Allison	Broadfoot
Alsup	Brown of Cherokee
Anderson	Brown
Bailey	of Nacogdoches
Baker	Bundy
of Fort Bend	Burkett
Baker of Grayson	Burney
Bell	Cauthorn
Blankenship	Celaya
Bond	Chambers
Boyd	Clark
Boyer	Cleveland
Bradbury	Cockrell
Bradford	Coleman

Colquitt	McDaniel
Cornett	McDonald
Colson, Mrs.	McFarland
Corry	McMurry
Crossley	McNamara
Daniel	Mohrmann
Davis of Jasper	Monkhouse
Davis of Upshur	Montgomery
Dean	Morris
Derden	Newell
Dickison	Nicholson
Dickson	Oliver
Donaghey	Pace
Dwyer	Petsch
Faulkner	Pevehouse
Felty	Pope
Ferguson	Ragsdale
Fielden	Reader of Bexar
Fuchs	Reader of Erath
Galbreath	Reaves
Gilmer	Reed
Goodman	Rhodes
Gordon, Mrs.	Riviere
Hale	Roach
Hamilton	Roberts
Hankamer	Robinson
Hardeman	Russell
Hardin	Schuenemann
Harp	Segrist
Harper	Shell
Harrell of Bastrop	Skiles
Harrell of Lamar	Smith of Frio
Harris	Smith of Hopkins
Hartzog	Smith
Heflin	of Matagorda
Holland	Spencer
Howard	Stinson
Howington	Stoll
Hull	Talbert
Hunt	Tarwater
Isaacks	Taylor
Johnson of Ellis	Tennant
Johnson of Tarrant	Thornberry
Keith	Thornton
Kennedy	Turner
Kern	Vale
Kersey	Vint
Kinard	Voigt
King	Waggoner
Langdon	Weldon
Lehman	Wells
Leonard	Westbrook
Leyendecker	White
Little	Wilson
Lock	Winfree
Loggins	Wood
London	Worley
Mays	Wright
McAlister	
Absent—Excused	
Dowell	Piner
Kerr	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"We come to Thee this morning, Lord, with a sense of our need and the encouragement of Thy word to ask that we may receive the needed qualifications for our important labors. Lead Thou our minds and make plain to us the right paths as we proceed. For Christ's sake. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Piner for today, on motion of Mr. Hale.

Mr. Kerr for today, on motion of Mr. Mohrmann.

COMMUNICATION

The Speaker laid before the House, and had read, the following communication:

We wish to express our deep appreciation of the thoughtfulness of the Members of the House of Representatives as expressed in House Resolution No. 190. Your kind expressions of sympathy and the beautiful floral piece did much to help us in our time of sorrow because of the passing of our loved one, Mrs. Pearl Coltrin Comstock. You have our continuing gratitude.

N. J. COMSTOCK,
MR. AND MRS.
GEO. W. COLTRIN
AND FAMILY.

HOUSE BILLS ON FIRST READING

Mr. Alsup asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 926.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Alsup:

H. B. No. 926, A bill to be entitled "An Act appropriating the sum of Eight Hundred Eighty Thousand, Three Hundred Thirty-two (\$880,332.00) Dollars per year, or so much thereof as may be necessary for the next biennium beginning September 1, 1939 and ending August 31, 1941,

from the General Revenue Fund for the purpose of promoting public school interests and assisting local districts in the teaching of vocational agriculture, home economics, trades and industries, general rehabilitation and rehabilitation for crippled children according to the Federal Laws governing vocational education, all of which shall be matched by Federal funds; providing for the administration, attaching conditions, regulations and limitations relative thereto, making various allocations of said appropriation; authorizing aid to such schools in accordance with the condition specified herein; providing for certain regulations concerning qualification of teachers; providing all costs of administering funds named in this Act shall be paid out of moneys appropriated in this Act under authority of the State Superintendent of Public Instruction under the direction of the State Board of Education; defining the powers of the State Board of Education and the State Superintendent; declaring the rule in event any provision of this Act is unconstitutional or invalid, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Appropriations.

Mr. Davis of Upshur asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 927.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Davis of Upshur:

H. B. No. 927, A bill to be entitled "An Act authorizing the Commissioners' Court to levy a tax not to exceed ten cents (10c) on the One Hundred Dollar (\$100) valuation upon personal and/or real property for the purpose of paying for the immunization of school children and indigent people from communicable diseases; authorizing the Commissioners' Court to pay as much as one-half or any portion thereof as they may deem reasonable for the treatment of indigent people other than paupers; providing a savings clause, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

Mr. Hull asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 928.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Hull:

H. B. No. 928, A bill to be entitled "An Act amending Article 4705, Article 4706, and Article 4993 and repealing Article 5006 of the Revised Civil Statutes of Texas of 1925, designating the funds and securities of which the capital stock of insurance companies incorporated under the provisions of Title 78, Chapter 2 of the Revised Civil Statutes of Texas, shall consist, designating the securities in which funds of such companies may be invested, providing certain limitations on the amount of capital stock of general casualty companies and requiring deposits to be made by such companies, and declaring an emergency."

Referred to the Committee on Insurance.

Mr. Reed asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 929.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Reed, Mr. Stinson, Mr. Segrist, Mr. Blankenship, Mr. McDaniel and Mr. Colquitt:

H. B. No. 929, A bill to be entitled "An Act to prohibit cities, towns and villages from dedicating or establishing thoroughfares or public streets and/or alleys through certain parks commonly known as amusement parks and to prevent general vehicular traffic through same and permitting cities, towns and villages to otherwise regulate vehicular traffic in parks; repealing all laws and parts of laws in conflict, and declaring an emergency."

Referred to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, House

Concurrent Resolution No. 73, To grant R. O. Drake permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was adopted.

MEMORIALIZING CONGRESS IN REGARD TO PASSAGE OF CERTAIN LEGISLATION

Mr. Hardeman offered the following resolution:

H. C. R. No. 74, Memorializing Congress in regard to passage of certain legislation.

Whereas, There is now pending in the Congress of the United States a bill known as the "Truth in Fabric," it being Senate Bill 3502; and

Whereas, Such bill is designed to protect producers, manufacturers, and consumers from the unrevealed presence of substitutes, and mixtures in spun, woven, knitted, or felted fabrics, and in garments or articles of apparel or other articles made therefrom; and

Whereas, The enactment of such bill into law would be of great benefit to the public; now, therefore, be it

Resolved, That the Legislature of the State of Texas respectfully urge the passage of this bill and that a copy of this resolution be forwarded to United States Senators Morris Sheppard and Tom Connally, and each Member of the Texas delegation in the House of Representatives in Washington.

The resolution was read second time, and was adopted.

MEMORIALIZING CONGRESS IN REGARD TO PASSAGE OF CERTAIN LEGISLATION

Mr. Hardeman offered the following resolution:

H. C. R. No. 75, Memorializing Congress in regard to passage of certain legislation.

Whereas, There is now pending in the House of Representatives of the Congress of the United States a bill

known as the McCarran Bill, being Senate Bill 90 and House Bill 951, which passed the Senate February 2, 1939; and

Whereas, Such bill makes it a crime to transport in interstate or foreign commerce any cattle, hogs, sheep, horses, or mules, their carcasses or hides, knowing them to have been stolen, or to receive or dispose of the same; and

Whereas, The enactment of such bill into law would be of untold value to livestock raisers throughout these United States in curbing the theft of livestock; now, therefore, be it

Resolved, That the Legislature of the State of Texas respectfully urge the passage of this bill, and that copy of this resolution be forwarded to each Member of the Texas delegation in the Congress of the United States.

The resolution was read second time, and was adopted.

TO PROVIDE FOR CERTAIN PLAQUE

Mr. Allen offered the following resolution:

H. C. R. No. 77, To provide for certain plaque.

Whereas, The granite for the Capitol Building of the State of Texas was donated to the State by W. H. Westfall, G. W. Lacey and N. L. Norton; and

Whereas, The said Messrs. W. H. Westfall, G. W. Lacey and N. L. Norton have not been sufficiently honored for the princely donation of the beautiful granite of which this magnificent capitol is built; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That to further honor Messrs. W. H. Westfall, G. W. Lacey and N. L. Norton for this very generous contribution the State Board of Control be authorized to prepare and place a suitable bronze plaque to these patriotic citizens in the corridor of the State Capitol Building.

The resolution was read second time.

On motion of Mr. Wood, the resolution was referred to the Committee on Contingent Expenses.

(Mr. Thornton in the Chair.)

TO PROVIDE FOR CERTAIN INVESTIGATION OF THE PRISON SYSTEM OF TEXAS

Mr. Winfree offered the following resolution:

H. C. R. No. 78, To provide for certain investigation of the Prison System of Texas.

Whereas, The Governor of Texas, has recommended to the Legislature of the State of Texas that a committee be appointed to make a study of the operation of the Prison System of the State of Texas; and further that the committee be instructed to report back to the Legislature within sixty (60) days, submitting a definite recommendation for the proper employment of convict labor and how the business management of the Prison System of the State of Texas may be improved to the end that the appalling expense to the taxpayers of this State of maintaining the Prison System may be reduced; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Speaker of the House of Representatives appoint the Chairman of the Penitentiary Committee in the House of Representatives and two (2) Members of the House of Representatives, and the President of the Senate appoint the Chairman of the Penitentiary Committee in the Senate and two (2) Members of the Senate, and that the Governor of this State appoint three (3) citizens of the State of Texas to investigate the operation of the State Prison System; and, be it further

Resolved, That said committee members are hereby authorized to inspect and examine any and all records of the Prison System, examine any official or employee of said System, and to inspect and examine the conditions under which the inmates live and work, and to examine into the management of said System; and said committee is hereby authorized to employ a competent reporter to record the proceedings of said committee. Said reporter to be paid out of the Contingent Expense Fund of this Legislature, upon warrant drawn by the Chairman of said committee, approved by the Speaker of the House of Representatives and the Lieutenant Governor. And said committee is given the power to swear and subpoena wit-

nesses, and the same powers are now hereby conferred upon said committee that are now conferred upon the District Courts of this State with reference to subpoenaing and swearing witnesses; and, be it

Resolved, That said committee members are to be paid for the actual and necessary expense upon a sworn itemized statement which shall be approved by the Speaker of the House of Representatives and the Lieutenant Governor; upon said approval the Comptroller of the State of Texas shall issue a warrant to said members of said committee for said expense.

The resolution was read second time. (Speaker in the Chair.)

Mr. Alsop raised a point of order, on further consideration of the resolution, at this time, on the ground that the Legislature has no authority to pay individuals not in the employ of the Legislature out of the Contingent Expense Fund.

Mr. Hartzog raised a point of order, on further consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

ADOPTION OF CONFERENCE REPORT ON HOUSE BILL NO. 802

Mr. Pope, Chairman, submitted the following Conference Committee Report on House Bill No. 802:

Austin, Texas, March 29, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Austin, Texas.

Sirs: We, your Free Conference Committee, appointed to adjust the differences between the two Houses on House Bill No. 802, have considered same and recommend that the bill do pass as passed by the House of Representatives and amended by the Senate, with the following amendment:

That the words and figures "ninety (90)" in the caption at the end of the third line from the bottom of the caption be changed to "thirty (30)", and that the words and figures "ninety (90)" in the next to the last

line of Section 5 be changed to the words and figures "thirty (30)", and that said bill with said two changes be passed otherwise as passed by the House and Senate.

Respectfully submitted,

KELLEY,
HEAD,
BROWNLEE,
MARTIN,
SMALL,

On the part of the Senate.

POPE,
HANKAMER,
CELAYA,
THORNTON,
VALE,

On the part of the House.

On motion of Mr. Pope, the Report was adopted by the following vote:

Yeas—131

Allen	Faulkner
Alsup	Felty
Bailey	Ferguson
Baker	Fielden
of Fort Bend	Fuchs
Baker of Grayson	Galbreath
Bell	Goodman
Blankenship	Gordon, Mrs.
Boyd	Hale
Boyer	Hamilton
Bradbury	Hankamer
Bradford	Hardeman
Bray	Hardin
Bridgers	Harp
Broadfoot	Harper
Brown of Cherokee	Harrell of Bastrop
Brown	Harrell of Lamar
of Nacogdoches	Harris
Bundy	Hartzog
Burkett	Heflin
Burney	Holland
Cauthorn	Howard
Celaya	Howington
Chambers	Hull
Clark	Hunt
Cleveland	Isaacks
Cockrell	Johnson of Ellis
Coleman	Johnson of Tarrant
Colquitt	Keith
Colson, Mrs.	Kennedy
Cornett	Kern
Corry	Kersey
Crossley	King
Daniel	Langdon
Davis of Jasper	Lehman
Davis of Upshur	Leonard
Dickison	Leyendecker
Dickson	Little
Donaghey	London
Dwyer	McAlister

McDaniel	Segrist
McDonald	Shell
McFarland	Skiles
McMurry	Smith of Frio
McNamara	Smith of Hopkins
Mohrmann	Spencer
Monkhouse	Stinson
Montgomery	Talbert
Morris	Tarwater
Newell	Taylor
Nicholson	Tennant
Oliver	Thornberry
Pace	Thornton
Petsch	Turner
Pevehouse	Vale
Pope	Vint
Reader of Bexar	Voigt
Reader of Erath	Waggoner
Reaves	Weldon
Reed	Wells
Rhodes	Westbrook
Riviere	White
Roach	Wilson
Roberts	Winfree
Robinson	Wood
Russell	Worley
Schuenemann	

Absent

Allison	Loggins
Anderson	Mays
Bond	Ragsdale
Dean	Smith
Derden	of Matagorda
Gilmer	Stoll
Kinard	Wright
Lock	

Absent—Excused

Dowell	Piner
Kerr	

MESSAGE FROM THE SENATE

Austin, Texas, March 30, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has failed to pass,

H. B. No. 560, A bill to be entitled "An Act amending Section 3 of Chapter 88, Acts of the Forty-first Legislature, Second Called Session, as amended by Section 1 of Chapter 3, Acts of the Forty-third Legislature, Second Called Session, as amended by Section 1 of Chapter 51, Acts of the Forty-fourth Legislature, Regular Session, so as to exempt motor vehicles, trailers and semi-trailers, owned and used exclusively in the service of any water district or water

control and improvement district from the payment of license or registration fees to the State of Texas; repealing all laws in conflict, and declaring an emergency."

By the following vote—Yeas, 12; Nays, 18.

Adopted Senate Concurrent Resolution No. 28, Relating to an appropriation by Congress for aid to wild life in Texas.

Adopted the Conference Report on House Bill No. 802, by the following vote—Yeas, 30; Nays, 0.

Respectfully,

BOB BARKER,

Secretary of the Senate.

RELATIVE TO HOUSE BILL NO. 478

On motion of Mr. Burkett, and by unanimous consent of the House, the caption of House Bill No. 478 was ordered amended to conform to all changes and with the body of the bill.

MOTION TO PRINT CERTAIN AMENDMENT

Mr. Spencer moved that the amendment offered by himself as a substitute for the committee amendment to House Bill No. 9, be printed in mimeograph form and not otherwise printed.

Mr. Alsop raised the point of order, that the routine motion period has expired.

The Speaker sustained the point of order.

RELATIVE TO HOUSE BILL NO. 730

Mr. Bell was authorized to substitute his name as author of House Bill No. 730 in place of Mr. Olsen, deceased.

RELATIVE TO SENATE BILL NO. 135

Mr. Hull asked unanimous consent of the House, to take up for consideration at this time, until disposed of, on its second reading and passage to third reading, Senate Bill No. 135.

Mr. Wood raised a point of order, on consideration of the motion by Mr. Hull, on the ground that the motion would take a suspension of the Joint Rules.

The Speaker sustained the point of order.

CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 16

The Speaker laid before the House, for consideration at this time,

H. J. R. No. 16, Proposing an amendment to Section 51b of Article III of the Constitution of the State of Texas, giving the Legislature power by General Laws to provide for the payment of old age assistance subject to certain limitations, and fixing the qualifications of recipients of old age assistance and fixing the maximum amount of assistance which may be granted by the State, and providing old age assistance shall not be paid except to persons who are in need and otherwise qualified to receive such assistance; defining the word "need;" providing that old age assistance shall not be construed as a vested right in recipients of old age assistance; providing for authority to accept aid from the Government of the United States for old age assistance; levying and providing for the collection of a transaction tax of one and six-tenths (1.6%) per cent on the amount of actual value passing by each transaction and providing for the payment of such tax, and providing that where the amount of value which passes by a transaction is fixed by law, the tax of one and six-tenths (1.6%) per cent of such value shall be collected on the last transaction only; defining the words "value," "person" and "transaction" as used in such amendment; and providing what transactions shall be exempt from said transaction tax; providing that production of natural resources of this State shall be subject to such transaction tax and fixing the date such tax shall be effective against such production, and determining the person liable for such tax; providing that if such transaction tax against production of natural resources fails or cannot be collected, a severance tax of one and six-tenths (1.6%) per cent of the value of such production be and is levied on such production in lieu of said transaction tax; providing for collection of such tax by the Comptroller of Public Accounts and payment thereof to the State Treasurer; providing that such tax funds shall be credited to the Texas Old Age Assist-

ance Fund, and requiring the transfer of certain of such funds to the Confederate Soldiers Pension Fund, Destitute Children Assistance Fund and Teachers' Retirement Fund, and fixing the amount and time of such transfers; providing for the exclusive use which shall be made of such funds, and providing that no other tax shall be levied for the payment of old age assistance, Confederate Soldiers pensions, destitute children assistance and teachers' retirement pensions; providing for payment of part of surplus tax into General Fund of the State; allocating such tax funds in case the same be inadequate to pay assistance as provided in this amendment; prohibiting counties, cities, and other political subdivisions from levying transaction tax; giving the Legislature power by General Laws to provide for administration of the provisions contained herein and for the collection of all taxes herein levied; proposing to amend the Constitution of the State of Texas by adding thereto Section 1-b to Article VIII, abolishing all State ad valorem taxes from and after January 1, 1941, except as to property situated in counties or political subdivisions receiving a remission of State taxes, and further providing that State revenue received from cigarette tax shall be allocated to Available School Fund, and specifying what use may be made thereof; providing for submission of amendment to qualified electors of the State and fixing the time of such election; providing for the necessary proclamation and making an appropriation to defray the expenses of proclamation, publication and election.

The resolution having been read third time, on yesterday.

Mr. Hunt moved that further consideration of House Joint Resolution No. 16 be postponed until 10:00 o'clock a. m., next Tuesday, April 4.

Question recurring on the motion to postpone, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—62

Alsup	Bradbury
Baker	Bradford
of Fort Bend	Brown of Cherokee
Baker of Grayson	Brown
Boyd	of Nacogdoches
Boyer	Cauthorn

Celaya	McFarland
Cleveland	McMurry
Coleman	Mohrmann
Colquitt	Montgomery
Cornett	Morris
Daniel	Nicholson
Dean	Petsch
Derden	Rhodes
Faulkner	Russell
Galbreath	Schuenemann
Hankamer	Segrist
Harris	Shell
Heflin	Skiles
Holland	Smith
Hull	of Matagorda
Hunt	Talbert
Isaacks	Taylor
Johnson of Tarrant	Thornberry
Keith	Thornton
Kersey	Vale
Kinard	Vint
Langdon	Voigt
Little	Waggoner
Lock	Weldon
London	Worley
Mays	Wright
McAlister	

Nays—79

Allen	Harp
Allison	Harper
Bailey	Harrell of Bastrop
Bell	Harrell of Lamar
Blankenship	Howard
Bond	Howington
Bray	Johnson of Ellis
Briggers	Kennedy
Broadfoot	Kern
Bundy	King
Burkett	Lehman
Burney	Leonard
Chambers	Leyendecker
Clark	Loggins
Cockrell	McDaniel
Colson, Mrs.	McDonald
Corry	McNamara
Crossley	Monkhouse
Davis of Jasper	Newell
Davis of Upshur	Oliver
Dickison	Pace
Dickson	Pevehouse
Donaghey	Pope
Dwyer	Reader of Erath
Felty	Reaves
Ferguson	Reed
Fielden	Riviere
Fuchs	Roach
Gilmer	Roberts
Goodman	Robinson
Gordon, Mrs.	Smith of Frio
Hale	Smith of Hopkins
Hamilton	Spencer
Hardeman	Stinson
Hardin	Stoll

Tarwater	White
Tennant	Wilson
Turner	Winfree
Wells	Wood
Westbrook	
	Absent
Anderson	Ragsdale
Hartzog	Reader of Bexar
	Absent—Excused
Dowell	Piner
Kerr	

Mr. Leonard raised the point of order, that his amendment, offered to House Joint Resolution No. 16, on third reading, had been adopted by a vote of 75 yeas and 63 nays, and cited as authority, Section 1, Rule 18, Rules of the House, which reads as follows:

"Section 1. All amendments proposed to the Constitution shall take the form of a joint resolution, which shall be subject to the rules which govern the proceedings on bills, except that it shall be adopted on any reading after the first, when it receives a two-thirds vote of the Members-elect of the House. (See Const., Art. 17, Section 1.) When a proposed amendment to the Constitution is under consideration, the vote of a majority of the Members present shall be sufficient to decide an amendment thereto, or any collateral or incidental questions thereto short of the final question, except as otherwise provided herein."

Mr. Leonard stated that according to the above Rule, it was not necessary for a proposed amendment to receive a two-thirds vote, but that such amendment could be adopted to a joint resolution, even though it be on third reading, by a simple majority vote.

The Chair overruled the point of order and gave the following as his reasons: Section 1, Article 17, of the Constitution of Texas sets forth the method of amending the Constitution and states:

"The Legislature, at any biennial session, by a vote of two-thirds of all the Members elected to each House, to be entered by yeas and nays on the Journals, may propose amendments to the Constitution, * * *"

No method of procedure on the part of the Legislature is set out in the

Constitution in reference to action upon such proposed amendments.

Section 11, of Article 3, Constitution of Texas, says:

"Each House may determine the Rules of its own proceedings, * * *"

Undoubtedly the last sentence in Section 1 of Rule 18, as cited by Mr. Leonard, was originally inserted in the Rules of the House to eliminate doubt as to the vote required for amendments on second reading of joint resolutions and took into consideration the fact that joint resolutions, under the Rules of the House could be finally passed on second reading and therefore might be deemed to be pending on final passage.

The House Journal of the Regular Session of the Thirty-fifth Legislature, page 394, contains the following language:

"Mr. Bryan raised a point of order, on consideration of the amendment, stating that it should not be entertained for the reason that practically the same proposition had been submitted, voted on and lost on the second reading of the resolution.

"The Speaker overruled the point of order, stating that as this is a different stage in the progress of the resolution, the amendment was in order. The Speaker further held that when a bill or resolution has been taken up on its third reading amendments thereto are in order, but shall require a two-thirds vote of the Members present for their adoption."

The language had to do with proceedings on House Joint Resolution No. 1 on third reading, which was a proposal to write into the State Constitution prohibition of intoxicating liquors.

The House Rules for the Regular Session of the Thirty-fifth Legislature contained a rule on Joint Resolutions. The Rule, XVII, read exactly like the present Section 1 of House Rule 18, except that the following words were not contained therein: "except as otherwise provided herein."

There are a number of instances in various Legislatures where the Journals of the House reflect that proposed amendments to Joint Resolutions on third reading were adopted when they received a two-thirds vote but declared rejected where they received a clear majority, but lacked

the necessary two-thirds. On page 2332, House Journal, Regular Session, Forty-second Legislature, Senate Joint Resolution No. 2 was pending on third reading. An amendment was offered by Mr. Engelhard and others and said amendment received 89 yeas and 40 nays. The record shows the amendment to have been adopted. On page 2333 of the same Journal, the same authors offered another amendment which received 78 yeas and 56 nays. The record shows this amendment was lost.

In view of these precedents the Chair respectfully overrules the point of order.

Mr. Boyd offered the following amendment to the resolution:

Amend committee amendment No. 1 to House Joint Resolution No. 16, page 4, line 37, of the printed amendment, by adding the following:

"There is also exempted from the provisions of this amendment from the computation of the taxes levied, assessed, and payable under this amendment the sale of food products for human consumption. Food products as used herein shall include cereals and cereal products, milk and milk products, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, spices, salt, sugar and sugar products other than candy and confectionery, coffee and coffee substitutes, tea, cocoa and cocoa products other than candy and confectionery. The term food products herein exempted shall not include soft drinks, sodas, or beverages such as are ordinarily dispensed at bars or soda fountains or in connection therewith, nor does the term 'food products' include the furnishing, preparing or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing, preparing or serving such tangible personal property. There is hereby specifically exempted from the provisions of this Act all medical supplies prescribed by licensed medical doctors, veterinary and human serums and vaccines, and there is hereby specifically exempted from the provisions of this Act all sales of clothing of Five (\$5.00) Dollars or less."

BOYD,
LANGDON,

DANIEL,
WHITE,
CORNETT,
FERGUSON,
THORNBERRY,
WELLS,
KERN.

Mr. Bell moved that House Joint Resolution No. 16 be laid on the table subject to call.

Question recurring on the motion by Mr. Bell, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—38

Baker	Heflin
of Fort Bend	Holland
Baker of Grayson	Hunt
Bell	Keith
Blankenship	Leyendecker
Bond	Lock
Bradbury	London
Bridgers	Mays
Brown	Mohrmann
of Nacogdoches	Monkhouse
Cauthorn	Morris
Coleman	Segrist
Cornett	Skiles
Corry	Stinson
Derden	Thornberry
Galbreath	Vint
Gordon, Mrs.	Waggoner
Hale	Weldon
Hardeman	Worley
Harris	Wright

Nays—100

Allen	Davis of Jasper
Allison	Davis of Upshur
Alsup	Dean
Bailey	Dickison
Boyd	Dickson
Boyer	Donaghey
Bradford	Dwyer
Bray	Faulkner
Broadfoot	Ferguson
Brown of Cherokee	Fielden
Bundy	Fuchs
Burkett	Gilmer
Burney	Goodman
Celaya	Hamilton
Chambers	Hankamer
Clark	Hardin
Cleveland	Harp
Cockrell	Harper
Colquitt	Harrell of Bastrop
Colson, Mrs.	Harrell of Lamar
Crossley	Howard
Daniel	Howington

Isaacks	Reed
Johnson of Ellis	Rhodes
Johnson of Tarrant	Riviere
Kennedy	Roach
Kern	Roberts
Kersey	Robinson
Kinard	Russell
King	Schuenemann
Langdon	Smith of Frio
Lehman	Smith of Hopkins
Leonard	Smith
Little	of Matagorda
Loggins	Spencer
McAlister	Stoll
McDaniel	Talbert
McFarland	Tarwater
McMurry	Taylor
McNamara	Tennant
Montgomery	Thornton
Newell	Turner
Nicholson	Vale
Oliver	Voigt
Pace	Wells
Petsch	Westbrook
Pevehouse	White
Pope	Wilson
Reader of Bexar	Winfree
Reader of Erath	Wood
Reaves	

Absent

Anderson	McDonald
Felty	Ragsdale
Hartzog	Shell
Hull	

Absent—Excused

Dowell	Piner
Kerr	

Mr. Harris moved that House Joint Resolution No. 16 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows: Yeas, 65; Nays, 71.

A verification of the vote was requested.

Mr. Dean moved a call of the House, pending the verification, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

Yeas—65

Allen	Boyd
Baker	Bradbury
of Fort Bend	Bridgers
Baker of Grayson	Brown
Bell	of Nacogdoches
Blankenship	Burney

Cauthorn	McNamara
Cockrell	Mohrmann
Coleman	Montgomery
Cornett	Morris
Corry	Newell
Davis of Upshur	Pope
Derden	Reader of Bexar
Dickison	Reader of Erath
Fuchs	Reaves
Galbreath	Reed
Gordon, Mrs.	Roach
Hale	Robinson
Hamilton	Segrist
Hardeman	Skiles
Harp	Smith
Harrell of Bastrop	of Matagorda
Harris	Stinson
Heflin	Stoll
Holland	Talbert
Hunt	Tarwater
Isaacks	Tennant
Keith	Thornberry
Kern	Vint
King	Waggoner
Lock	Weldon
London	Wells
Mays	Winfree
McDaniel	Wood

Nays—72

Allison	Howington
Alsup	Johnson of Ellis
Bailey	Johnson of Tarrant
Bond	Kennedy
Boyer	Kersey
Bradford	Kinard
Bray	Langdon
Broadfoot	Lehman
Brown of Cherokee	Leonard
Bundy	Leyendecker
Burkett	Little
Celaya	Loggins
Chambers	McAlister
Clark	McDonald
Cleveland	McFarland
Colquitt	McMurry
Colson, Mrs.	Monkhouse
Crossley	Nicholson
Daniel	Oliver
Davis of Jasper	Pace
Dean	Petsch
Donaghey	Pevehouse
Dwyer	Rhodes
Faulkner	Riviere
Ferguson	Roberts
Fielden	Russell
Gilmer	Schuenemann
Goodman	Shell
Hankamer	Smith of Frio
Hardin	Smith of Hopkins
Harper	Spencer
Harrell of Lamar	Taylor
Howard	Thornton

Turner	Westbrook
Vale	Wilson
Voigt	Worley

Present—Not Voting

Wright

Absent

Anderson	Hull
Dickson	Ragsdale
Felty	White
Hartzog	

Absent—Excused

Dowell	Piner
Kerr	

The Speaker announced that the motion to table House Joint Resolution No. 16 was lost.

Mr. Reader of Erath moved the previous question, on the pending amendment, and the resolution, and the main question was ordered.

(Pending consideration of the amendment, Mr. Daniel occupied the Chair, temporarily.)

(Speaker in the Chair.)

Mr. Little moved to reconsider the vote by which the main question was ordered.

Mr. Alsup moved to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—106

Allen	Cornett
Allison	Corry
Alsup	Daniel
Bailey	Davis of Jasper
Baker	Davis of Upshur
of Fort Bend	Dean
Baker of Grayson	Derden
Bell	Dickison
Blankenship	Dwyer
Bond	Felty
Boyd	Ferguson
Bradbury	Fielden
Bray	Fuchs
Broadfoot	Galbreath
Brown	Gordon, Mrs.
of Nacogdoches	Hale
Bundy	Hamilton
Burney	Hardeman
Cauthorn	Hardin
Chambers	Harp
Cleveland	Harper
Coleman	Harrell of Bastrop

Harrell of Lamar	Reader of Bexar
Harris	Reader of Erath
Heflin	Reaves
Holland	Riviere
Howington	Roach
Hunt	Roberts
Isaacks	Robinson
Johnson of Ellis	Russell
Keith	Segrist
Kennedy	Skiles
Kern	Smith of Frio
Kersey	Smith of Hopkins
King	Smith
Langdon	of Matagorda
Lehman	Stinson
Leyendecker	Stoll
Lock	Talbert
Loggins	Tarwater
London	Tennant
Mays	Thornberry
McDaniel	Turner
McNamara	Vint
Mohrmann	Voigt
Monkhouse	Waggoner
Montgomery	Weldon
Newell	Wells
Nicholson	Westbrook
Oliver	White
Pace	Wilson
Petsch	Winfree
Pevehouse	Worley
Pope	Wright
Ragsdale	

Nays—38

Anderson	Howard
Boyer	Hull
Bradford	Johnson of Tarrant
Bridgers	Kinard
Brown of Cherokee	Little
Burkett	McAlister
Celaya	McDonald
Clark	McFarland
Cockrell	McMurry
Colquitt	Morris
Colson, Mrs.	Reed
Crossley	Rhodes
Dickson	Schuenemann
Donaghey	Shell
Faulkner	Spencer
Gilmer	Taylor
Goodman	Thornton
Hankamer	Vale
Hartzog	Wood

Absent

Leonard

Absent—Excused

Dowell	Piner
Kerr	

(Pending consideration of the amendment, Mr. Reed occupied the Chair, temporarily.)

(Speaker in the Chair.)

Question recurring on the amendment offered by Mr. Boyd, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—108

Allen	Johnson of Ellis
Allison	Keith
Alsup	Kennedy
Bailey	Kern
Baker	Kersey
of Fort Bend	King
Baker of Grayson	Langdon
Bell	Lehman
Blankenship	Leyendecker
Bond	Lock
Boyd	Loggins
Bradbury	London
Bridgers	McDaniel
Broadfoot	McDonald
Brown of Cherokee	McMurry
Brown	McNamara
of Nacogdoches	Mohrmann
Burney	Monkhouse
Cauthorn	Montgomery
Clark	Morris
Cockrell	Newell
Coleman	Nicholson
Colson, Mrs.	Oliver
Cornett	Pace
Corry	Pevehouse
Daniel	Ragsdale
Davis of Jasper	Reader of Bexar
Davis of Upshur	Reader of Erath
Derden	Reaves
Dickison	Reed
Dickson	Rhodes
Dwyer	Riviere
Faulkner	Roach
Felty	Roberts
Ferguson	Robinson
Fuchs	Russell
Galbreath	Segrist
Gordon, Mrs.	Skiles
Hale	Smith of Hopkins
Hardeman	Smith
Hardin	of Matagorda
Harp	Spencer
Harper	Stinson
Harrell of Bastrop	Stoll
Harrell of Lamar	Talbert
Harris	Tarwater
Heflin	Tennant
Holland	Thornberry
Hull	Turner
Hunt	Vint
Isaacks	Waggoner

Weldon
Wells
Westbrook
White
Wilson

Winfree
Wood
Worley
Wright

Nays—31

Anderson	Hankamer
Boyer	Hartzog
Bradford	Howard
Bray	Howington
Bundy	Johnson of Tarrant
Burkett	Little
Chambers	Mays
Cleveland	McAlister
Colquitt	McFarland
Crossley	Petsch
Dean	Schuenemann
Donaghey	Shell
Fielden	Taylor
Gilmer	Thornton
Goodman	Voigt
Hamilton	

Absent

Celaya	Pope
Kinard	Smith of Frio
Leonard	Vale

Absent—Excused

Dowell	Piner
Kerr	

Question—Shall House Joint Resolution No. 16 be passed?

The roll of the House was called, and the vote announced, as follows: Yeas, 69; Nays, 72.

A verification of the vote was requested.

Mr. Thornberry moved a call of the House, pending the verification, and the call was duly ordered.

On motion of Mr. Keith, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

Yeas—70

Allison	Celaya
Alsup	Clark
Bond	Cleveland
Boyer	Colquitt
Bradford	Colson, Mrs.
Bray	Crossley
Broadfoot	Daniel
Brown of Cherokee	Davis of Jasper
Bundy	Dean
Burkett	Donaghey

Dwyer	McAlister
Faulkner	McDonald
Felty	McFarland
Ferguson	McMurry
Fielden	Monkhouse
Gilmer	Nicholson
Goodman	Oliver
Hankamer	Pace
Hardin	Petsch
Harper	Rhodes
Harrell of Lamar	Roberts
Hartzog	Russell
Howard	Schuenemann
Howington	Smith of Frio
Hull	Smith of Hopkins
Johnson of Ellis	Spencer
Johnson of Tarrant	Talbert
Kennedy	Taylor
Kersey	Tennant
Kinard	Thornton
Lehman	Turner
Leonard	Vale
Little	Voigt
Loggins	Worley
Mays	Wright

Nays—73

Allen	Keith
Bailey	Kern
Baker	King
of Fort Bend	Langdon
Baker of Grayson	Leyendecker
Bell	Lock
Blankenship	London
Boyd	McDaniel
Bradbury	McNamara
Bridgers	Mohrmann
Brown	Montgomery
of Nacogdoches	Morris
Burney	Newell
Cauthorn	Pevehouse
Chambers	Pope
Cockrell	Reader of Bexar
Coleman	Reader of Erath
Cornett	Reaves
Corry	Reed
Davis of Upshur	Riviere
Derden	Roach
Dickison	Robinson
Dickson	Segrist
Fuchs	Shell
Galbreath	Skiles
Gordon, Mrs.	Smith
Hale	of Matagorda
Hamilton	Stinson
Hardeman	Stoll
Harp	Tarwater
Harrell of Bastrop	Thornberry
Harris	Vint
Heflin	Waggoner
Holland	Weldon
Hunt	Wells
Isaacks	Westbrook

White	Winfree
Wilson	Wood
	Absent
Anderson	Ragsdale
	Absent—Excused
Dowell	Piner
Kerr	

The Speaker announced that House Joint Resolution No. 16 failed to pass by the above vote.

REASONS FOR VOTE

I voted "no" because I do not wish to over tax the farmer, independent merchant, labor, farmers, and other low income groups, which are already over taxed. I favor a tax on natural resources that will adequately finance the old age pension. I have at this time a \$2.00 sulphur tax that will substantially help the old age pension. It is the only tax bill on the floor at present to finance the old age pension. I do not like this House Joint Resolution No. 16 in the form of a constitutional amendment; it would be much better in the form of a House bill. A sales tax lays heavily upon the independent merchant, low income group, farmers and agriculture.

WHITE.

Reasons for my vote on House Joint Resolution No. 16.

I voted "aye" on House Joint Resolution No. 16 as the people of Texas overwhelmingly elected Governor W. Lee O'Daniel to our highest executive office, and did so on a liberal pension platform, we should do everything to follow his leadership and make it possible for the people to sustain him by a vote on a constitutional amendment.

I further believe that any tax measure submitted to this Legislature in bill form will be defeated, and the old people of the State will be neglected as they have been in the past.

I am opposed to a sales tax; and, when a sales tax comes before me for my vote, I will vote against same, as I do not desire to subject the wage earner to this tax.

I feel that those who voted for House Joint Resolution No. 16 are consistent, because, if the people desire a certain action, we should cer-

tainly not try' to stop them in carrying out their wishes.

HOWARD.

I voted to table House Joint Resolution No. 16 because I felt the House was in a hopeless deadlock and I wanted to get it out of the way. On final passage I voted for passage as I hoped it might pass and I have consistently voted for it all along. It can never pass now and should be tabled so we could do something else.

MAYS.

Mr. Harris moved to reconsider the vote by which House Joint Resolution No. 16 failed to pass, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—66

Allen	Leyendecker
Bailey	London
Baker	Mays
of Fort Bend	McDaniel
Baker of Grayson	McNamara
Bell	Mohrmann
Blankenship	Montgomery
Boyd	Morris
Bradbury	Newell
Bridgers	Pevehouse
Brown	Pope
of Nacogdoches	Reader of Bexar
Burney	Reader of Erath
Cauthorn	Reaves
Cockrell	Reed
Cornett	Roach
Davis of Upshur	Robinson
Derden	Segrist
Dickison	Skiles
Fuchs	Smith
Galbreath	of Matagorda
Gordon, Mrs.	Stinson
Hale	Stoll
Hamilton	Tarwater
Hardeman	Thornberry
Harp	Vint
Harrell of Bastrop	Waggoner
Harris	Weldon
Heflin	Wells
Hunt	Westbrook
Isaacks	White
Keith	Wilson
Kern	Winfree
King	Wood
Langdon	

Nays—75

Allison	Anderson
Alsup	Bond

Boyer	Johnson of Tarrant
Bradford	Kennedy
Bray	Kersey
Broadfoot	Kinard
Brown of Cherokee	Lehman
Bundy	Leonard
Burkett	Little
Celaya	Lock
Chambers	Loggins
Clark	McAlister
Cleveland	McDonald
Colquitt	McFarland
Colson, Mrs.	McMurry
Corry	Monkhouse
Crossley	Nicholson
Daniel	Oliver
Davis of Jasper	Pace
Dean	Petsch
Donaghey	Rhodes
Dwyer	Riviere
Faulkner	Roberts
Felty	Russell
Ferguson	Schuenemann
Fielden	Shell
Gilmer	Smith of Hopkins
Goodman	Spencer
Hankamer	Talbert
Hardin	Taylor
Harper	Tennant
Harrell of Lamar	Thornton
Hartzog	Turner
Holland	Vale
Howard	Voigt
Howington	Worley
Hull	Wright
Johnson of Ellis	

Present—Not Voting

Coleman

Absent

Dickson	Smith of Frio
Ragsdale	

Absent—Excused

Dowell	Piner
Kerr	

Question—Shall the motion to reconsider the vote by which House Joint Resolution No. 16 failed to pass, prevail?

Mr. Thornton moved to postpone further consideration of the motion to reconsider the vote by which House Joint Resolution No. 16 failed to pass until 10:30 o'clock a. m., April 11.

Mr. Morris moved to table the motion to postpone.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called,

and the vote announced, as follows:
Yeas, 68; Nays, 69.

A verification of the vote was requested.

Mr. Morris moved a call of the House, pending the verification, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

Yeas—68

Allen	Lock
Allison	London
Bailey	Mays
Baker	McDaniel
of Fort Bend	McNamara
Baker of Grayson	Mohrmann
Bell	Montgomery
Blankenship	Morris
Boyd	Newell
Bradbury	Pace
Bridgers	Pevehouse
Burney	Pope
Cauthorn	Reader of Bexar
Cockrell	Reader of Erath
Coleman	Reaves
Cornett	Reed
Corry	Roach
Davis of Upshur	Robinson
Derden	Segrist
Dickison	Skiles
Fuchs	Smith
Galbreath	of Matagorda
Hale	Spencer
Hamilton	Stinson
Hardeman	Stoll
Harp	Tarwater
Harrell of Bastrop	Thornberry
Harris	Vint
Heflin	Waggoner
Hunt	Weldon
Isaacks	Wells
Keith	Westbrook
Kern	White
King	Winfree
Langdon	Wood

Nays—73

Alsup	Clark
Bond	Cleveland
Boyer	Colquitt
Bradford	Colson, Mrs.
Bray	Crossley
Broadfoot	Daniel
Brown of Cherokee	Davis of Jasper
Brown	Dean
of Nacogdoches	Donaghey
Bundy	Dwyer
Burkett	Faulkner
Celaya	Felty
Chambers	Ferguson

Fielden	McFarland
Gilmer	McMurry
Goodman	Monkhouse
Gordon, Mrs.	Nicholson
Hankamer	Oliver
Hardin	Petsch
Harper	Rhodes
Harrell of Lamar	Riviere
Hartzog	Roberts
Holland	Russell
Howard	Schuenemann
Howington	Shell
Hull	Smith of Frio
Johnson of Ellis	Smith of Hopkins
Johnson of Tarrant	Talbert
Kennedy	Taylor
Kersey	Tennant
Kinard	Thornton
Lehman	Turner
Leonard	Vale
Little	Voigt
Loggins	Wilson
McAlister	Worley
McDonald	Wright

Absent

Anderson	Leyendecker
Dickson	Ragsdale

Absent—Excused

Dowell	Piner
Kerr	

The Speaker announced that the motion to table was lost.

Mr. Riviere moved, as a substitute motion, that further consideration of the motion to reconsider the vote by which House Joint Resolution No. 16 failed to pass be postponed until next May 2.

Mr. Celaya moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Alsup moved that the House recess until 2:30 o'clock p. m., today.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—39

Blankenship	Dean
Boyer	Donaghey
Bradford	Faulkner
Bray	Felty
Brown of Cherokee	Gilmer
Celaya	Goodman
Coleman	Harrell of Lamar
Colquitt	Hartzog

Heflin	Pope
Howard	Reader of Bexar
Johnson of Ellis	Reed
Johnson of Tarrant	Rhodes
Leonard	Segrist
Little	Talbert
Loggins	Taylor
McAlister	Tennant
McDaniel	Vale
McMurry	White
Nicholson	Worley
Pace	

Nays—98

Allen	Hull
Allison	Isaacks
Alsup	Keith
Anderson	Kennedy
Bailey	Kern
Baker	Kersey
of Fort Bend	Kinard
Baker of Grayson	King
Bell	Langdon
Bond	Lehman
Boyd	Lock
Bradbury	London
Bridgers	Mays
Broadfoot	McFarland
Brown	McNamara
of Nacogdoches	Mohrmann
Bundy	Monkhouse
Burkett	Montgomery
Burney	Morris
Cauthorn	Newell
Chambers	Oliver
Clark	Petsch
Cleveland	Pevehouse
Cockrell	Ragsdale
Colson, Mrs.	Reader of Erath
Cornett	Reaves
Corry	Riviere
Crossley	Roach
Daniel	Roberts
Davis of Jasper	Robinson
Davis of Upshur	Russell
Derden	Skiles
Dickison	Smith of Frio
Ferguson	Smith of Hopkins
Fielden	Smith
Fuchs	of Matagorda
Galbreath	Spencer
Gordon, Mrs.	Stinson
Hale	Stoll
Hamilton	Tarwater
Hankamer	Thornberry
Hardeman	Thornton
Hardin	Turner
Harp	Vint
Harper	Voigt
Harrell of Bastrop	Waggoner
Harris	Weldon
Holland	Wells
Howington	Westbrook

Wilson	Wood
Winfree	
	Absent
Dickson	McDonald
Dwyer	Schuenemann
Hunt	Shell
Leyendecker	Wright
	Absent—Excused
Dowell	Piner
Kerr	

Question then recurring on the motion by Mr. Alsup, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—52

Allen	Keith
Alsup	Kern
Baker of Grayson	King
Boyd	Langdon
Broadfoot	London
Brown	Mohrmann
of Nacogdoches	Monkhouse
Bundy	Morris
Burkett	Newell
Chambers	Oliver
Colson, Mrs.	Petsch
Crossley	Pevehouse
Daniel	Riviere
Derden	Roberts
Dickison	Russell
Dwyer	Smith of Hopkins
Ferguson	Smith
Galbreath	of Matagorda
Hale	Spencer
Hardeman	Stoll
Hardin	Tarwater
Harrell of Bastrop	Thornton
Harris	Vale
Holland	Vint
Howington	Voigt
Hull	Wells
Hunt	Wood

Nays—85

Allison	Cauthorn
Bailey	Celaya
Baker	Clark
of Fort Bend	Cleveland
Bell	Cockrell
Blankenship	Coleman
Bond	Cornett
Boyer	Corry
Bradbury	Davis of Jasper
Bradford	Davis of Upshur
Bray	Dean
Bridgers	Faulkner
Brown of Cherokee	Felty
Burney	Fielden

Fuchs	Montgomery
Gilmer	Nicholson
Goodman	Pace
Gordon, Mrs.	Ragsdale
Hamilton	Reader of Bexar
Hankamer	Reader of Erath
Harp	Reaves
Harper	Reed
Harrell of Lamar	Rhodes
Hartzog	Roach
Heflin	Robinson
Howard	Schuenemann
Isaacks	Segrist
Johnson of Ellis	Skiles
Johnson of Tarrant	Smith of Frio
Kennedy	Stinson
Kersey	Talbert
Kinard	Taylor
Lehman	Tennant
Leonard	Thornberry
Little	Turner
Lock	Waggoner
Loggins	Weldon
Mays	Westbrook
McAlister	White
McDaniel	Wilson
McFarland	Winfree
McMurry	Worley
McNamara	Wright

Absent

Anderson	Leyendecker
Colquitt	McDonald
Dickson	Pope
Donaghey	Shell

Absent—Excused

Dowell	Piner
Kerr	

Question—Shall the substitute motion by Mr. Riviere prevail?

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

H. B. No. 802, "An Act validating proceedings heretofore had by certain cities in Texas, other than home-rule cities, for the issuance of revenue bonds and ad valorem tax bonds for the purpose of procuring funds to construct waterworks and sewer systems for such cities, validating the bonds to be issued pursuant to such proceedings and the indentures executed and to be executed as security for such bonds, authorizing the adoption of the proceedings necessary to complete the issuance of such bonds,

validating proceedings had in the incorporation of such cities, providing the manner in which the assessed valuation of taxable property may be determined in such of said cities as have not heretofore levied taxes, repealing all conflicting Acts, and declaring an emergency."

RECESS

Mr. Fielden moved that the House recess until 10:00 o'clock a. m., tomorrow.

Mr. Hull moved that the House recess until 3:00 o'clock p. m., today.

Mr. Reed moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn was lost by the following vote:

Yeas—38

Allison	Leonard
Blankenship	Leyendecker
Boyer	McAlister
Bradbury	McDaniel
Bradford	McFarland
Brown of Cherokee	McMurry
Celaya	Nicholson
Colquitt	Pace
Dean	Pope
Donaghey	Reed
Faulkner	Rhodes
Felty	Riviere
Gilmer	Roach
Goodman	Segrist
Hardin	Smith
Hartzog	of Matagorda
Heflin	Taylor
Howard	Tennant
Johnson of Ellis	Worley
Kinard	

Nays—104

Allen	Burkett
Alsup	Burney
Anderson	Cauthorn
Bailey	Chambers
Baker	Cleveland
of Fort Bend	Cockrell
Baker of Grayson	Coleman
Bell	Colson, Mrs.
Bond	Cornett
Boyd	Corry
Bray	Crossley
Broadfoot	Daniel
Brown	Davis of Jasper
of Nacogdoches	Davis of Upshur
Bundy	Derden

Dickison	Montgomery
Dwyer	Morris
Ferguson	Newell
Fielden	Oliver
Fuchs	Petsch
Galbreath	Pevehouse
Gordon, Mrs.	Reader of Bexar
Hale	Reader of Erath
Hamilton	Reaves
Hankamer	Roberts
Hardeman	Robinson
Harp	Russell
Harper	Schuenemann
Harrell of Bastrop	Skiles
Harrell of Lamar	Smith of Frio
Harris	Smith of Hopkins
Holland	Spencer
Howington	Stinson
Hull	Stoll
Hunt	Talbert
Isaacks	Tarwater
Johnson of Tarrant	Thornberry
Keith	Thornton
Kennedy	Turner
Kern	Vale
Kersey	Vint
King	Voigt
Langdon	Waggoner
Lehman	Weldon
Little	Wells
Lock	Westbrook
Loggins	White
London	Wilson
Mays	Winfree
McNamara	Wood
Mohrmann	Wright
Monkhouse	

Present—Not Voting

Clark

Absent

Bridgers	Ragsdale
Dickson	Shell
McDonald	

Absent—Excused

Dowell	Piner
Kerr	

Question then recurring on the motion to recess until 3:00 o'clock p. m., today, it prevailed, and the House, accordingly, at 1:05 o'clock p. m., took recess until 3:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Harrell of Bastrop was granted leave of absence for this afternoon on account of important business, on motion of Mr. Broadfoot.

Mr. Ragsdale was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Russell.

Mr. Davis of Jasper was granted leave of absence for this afternoon on account of important business, on motion of Mr. McNamara.

CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 16

The House resumed consideration of pending business, same being the motion to reconsider the vote by which House Joint Resolution No. 16 failed to pass and motion by Mr. Thornton to postpone further consideration of the motion to reconsider until 10:30 o'clock a. m., next April 11, and substitute motion by Mr. Riviere, to postpone further consideration of the motion to reconsider until next May 2 pending.

Mr. Mays raised a point of order, on further consideration of the motion to postpone, on the ground that a motion cannot be made to postpone a motion to reconsider.

The Speaker overruled the point of order.

Mr. Harris asked unanimous consent to withdraw the motion to reconsider, made on this morning.

There was objection offered.

Mr. Harris then moved that he be permitted to withdraw his motion to reconsider.

Question recurring on the motion by Mr. Harris, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—79

Allen	Bridgers
Allison	Brown
Bailey	of Nacogdoches
Baker	Burney
of Fort Bend	Cauthorn
Baker of Grayson	Cockrell
Bell	Coleman
Blankenship	Cornett
Boyd	Corry
Bradbury	Daniel

Davis of Upshur	Newell
Derden	Pace
Dickison	Pevehouse
Galbreath	Reader of Bexar
Goodman	Reader of Erath
Gordon, Mrs.	Reaves
Hale	Reed
Hamilton	Roach
Hardeman	Robinson
Harp	Segrist
Harris	Shell
Heflin	Skiles
Howington	Smith of Frio
Hunt	Smith
Isaacks	of Matagorda
Johnson of Ellis	Spencer
Keith	Stinson
Kennedy	Stoll
Kern	Talbert
King	Tarwater
Langdon	Tennant
Leyendecker	Thornberry
Lock	Vint
London	Waggoner
Mays	Weldon
McDaniel	Wells
McDonald	Westbrook
McNamara	White
Mohrmann	Winfree
Montgomery	Wood
Morris	Wright

Nays—57

Alsup	Howard
Anderson	Hull
Bond	Johnson of Tarrant
Boyer	Kersey
Bradford	Kinard
Bray	Lehman
Broadfoot	Leonard
Brown of Cherokee	Little
Bundy	Loggins
Burkett	McAlister
Celaya	McFarland
Chambers	McMurry
Clark	Monkhouse
Colquitt	Nicholson
Colson, Mrs.	Oliver
Crossley	Petsch
Dean	Riviere
Donaghey	Roberts
Dwyer	Russell
Felty	Schuenemann
Ferguson	Smith of Hopkins
Fielden	Taylor
Gilmer	Thornton
Hankamer	Turner
Hardin	Vale
Harper	Voigt
Harrell of Lamar	Wilson
Hartzog	Worley
Holland	

Absent

Cleveland	Fuchs
Dickson	Pope
Faulkner	

Absent—Excused

Davis of Jasper	Piner
Dowell	Ragsdale
Harrell of Bastrop	Rhodes
Kerr	

Mr. Shell moved to reconsider the vote by which House Joint Resolution No. 16 failed to pass and asked to have the motion to reconsider spread on the Journal.

Mr. Blankenship called up the motion to reconsider and moved to table the motion.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced, as follows—Yeas, 73; Nays, 66.

A verification of the vote was requested.

Mr. Morris moved a call of the House pending the verification, and the call was duly ordered.

The roll of the “yeas” and “nays” was again called and the verified vote resulted, as follows:

Yeas—69

Allen	Hamilton
Bailey	Hardeman
Baker	Harp
of Fort Bend	Harris
Baker of Grayson	Heflin
Bell	Howington
Blankenship	Hunt
Boyd	Isaacks
Bradbury	Keith
Bridgers	Kern
Brown	King
of Nacogdoches	Langdon
Burney	Lock
Cauthorn	London
Cockrell	Mays
Coleman	McDaniel
Cornett	McNamara
Corry	Mohrmann
Daniel	Morris
Davis of Upshur	Newell
Derden	Pace
Dickison	Pevehouse
Ferguson	Pope
Fuchs	Reader of Bexar
Galbreath	Reader of Erath
Gordon, Mrs.	Reaves
Hale	Reed

Roach	Thornberry
Robinson	Vint
Segrist	Waggoner
Skiles	Weldon
Smith	Wells
of Matagorda	Westbrook
Stinson	White
Stoll	Winfree
Tarwater	Wood

Nays—68

Allison	Johnson of Tarrant
Alsup	Kennedy
Anderson	Kersey
Bond	Kinard
Boyer	Lehman
Bradford	Leonard
Bray	Leyendecker
Broadfoot	Little
Brown of Cherokee	Loggins
Bundy	McAlister
Burkett	McFarland
Celaya	McMurry
Chambers	Monkhouse
Clark	Montgomery
Cleveland	Nicholson
Colquitt	Oliver
Colson, Mrs.	Petsch
Crossley	Riviere
Dean	Roberts
Donaghey	Russell
Dwyer	Schuenemann
Felty	Shell
Fielden	Smith of Hopkins
Gilmer	Spencer
Goodman	Talbert
Hankamer	Taylor
Hardin	Tennant
Harper	Thornton
Harrell of Lamar	Turner
Hartzog	Vale
Holland	Voigt
Howard	Wilson
Hull	Worley
Johnson of Ellis	Wright

Absent

Dickson	Smith of Frio
Faulkner	

Absent—Excused

Davis of Jasper	McDonald
Dowell	Piner
Harrell of Bastrop	Ragsdale
Kerr	Rhodes

The Speaker announced that the motion to table prevailed.

Mr. Bradford moved that the House adjourn until 10:00 o'clock a. m., next Monday.

Mr. Wood moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Wood to adjourn until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—52

Allen	Howington
Allison	Isaacks
Alsup	Kennedy
Baker	Leyendecker
of Fort Bend	Lock
Bell	London
Bridgers	Mohrmann
Broadfoot	Morris
Brown of Cherokee	Newell
Burkett	Pevehouse
Burney	Reader of Erath
Chambers	Reaves
Coleman	Rhodes
Colson, Mrs.	Roach
Crossley	Roberts
Daniel	Russell
Davis of Upshur	Smith of Hopkins
Ferguson	Smith
Fuchs	of Matagorda
Galbreath	Spencer
Gilmer	Stinson
Hamilton	Stoll
Hardeman	Tarwater
Harper	Thornton
Harris	Weldon
Heflin	Wood
Howard	Wright

Nays—87

Anderson	Donaghey
Bailey	Dwyer
Baker of Grayson	Faulkner
Blankenship	Felty
Bond	Fielden
Boyd	Goodman
Boyer	Gordon, Mrs.
Bradbury	Hale
Bradford	Hankamer
Bray	Hardin
Brown	Harp
of Nacogdoches	Harrell of Lamar
Bundy	Hartzog
Cauthorn	Holland
Celaya	Hull
Clark	Hunt
Cleveland	Johnson of Ellis
Cockrell	Johnson of Tarrant
Colquitt	Keith
Cornett	Kern
Corry	Kersey
Derden	King
Dickson	Langdon

Lehman
Leonard
Little
Loggins
Mays
McAlister
McDaniel
McDonald
McFarland
McMurry
McNamara
Monkhouse
Montgomery
Nicholson
Oliver
Pace
Petsch
Pope
Reader of Bexar
Reed
Riviere

Robinson
Schuenemann
Segrist
Shell
Skiles
Smith of Frio
Talbert
Taylor
Tennant
Thornberry
Turner
Vale
Vint
Voigt
Waggoner
Wells
Westbrook
White
Wilson
Winfree
Worley

Absent

Dean Kinard
Dickison

Absent—Excused

Davis of Jasper Kerr
Dowell Piner
Harrell of Bastrop Ragsdale

Question then recurring on the motion by Mr. Bradford to adjourn until 10:00 o'clock a. m., next Monday, yeas and nays were demanded.

The roll of the House was called and the vote announced as follows—Yeas, 67; Nays, 70.

A verification of the vote was requested.

Mr. Reader of Erath moved a call of the House pending the verification, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called and the verified vote resulted, as follows:

Yeas—63

Allison
Baker
of Fort Bend
Baker of Grayson
Blankenship
Boyd
Boyer
Bradbury
Bradford
Bray
Bridgers
Bundy
Celaya
Cleveland
Cockrell
Colquitt
Cornett
Corry
Dickison
Donaghey
Dwyer
Faulkner
Felty
Fielden
Goodman
Hankamer
Harp
Harris

Hartzog
Heflin
Howard
Isaacks
Keith
Langdon
Leonard
Leyendecker
Little
Loggins
McDaniel
McFarland
McNamara
Monkhouse
Montgomery
Pace
Pope
Ragsdale

Reader of Bexar
Reed
Riviere
Robinson
Schuenemann
Segrist
Shell
Skiles
Smith of Frio
Talbert
Taylor
Tennant
Thornberry
Vale
Waggoner
Wilson
Winfree
Worley

Nays—68

Allen King
Alsup Lehman
Bailey Lock
Bell London
Bond Mays
Broadfoot McDonald
Brown of Cherokee Mohrmann
Brown Morris
of Nacogdoches Newell
Burkett Oliver
Burney Petsch
Cauthorn Pevehouse
Chambers Reader of Erath
Clark Reaves
Coleman Rhodes
Colson, Mrs. Roach
Crossley Roberts
Daniel Russell
Davis of Upshur Smith of Hopkins
Derden Smith
Ferguson of Matagorda
Fuchs Spencer
Galbreath Stinson
Gordon, Mrs. Stoll
Hale Tarwater
Hamilton Thornton
Hardeman Turner
Harper Vint
Holland Voigt
Howington Weldon
Hunt Wells
Johnson of Tarrant Westbrook
Kennedy White
Kern Wood
Kersey Wright

Absent

Anderson Hull
Dean Johnson of Ellis
Dickson Kinard
Gilmer McAlister
Hardin McMurry
Harrell of Lamar Nicholson

Absent—Excused

Davis of Jasper Kerr
Dowell Piner
Harrell of Bastrop

The Speaker announced that the motion by Mr. Bradford, was lost.

SENATE BILL NO. 135 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 135, A bill to be entitled "An Act further regulating all life, health and accident assessment insurance companies or associations or burial societies, repealing conflicting laws, authorizing the Board of Insurance Commissioners to limit the use of names, and to pass upon the worthiness of officers; requiring bonds of all employees having access to moneys; requiring deposits and limiting advertisements thereof; providing for keeping rosters and records of clubs, classes or groups, and prohibiting transfer of members, classes or groups to other associations or to other classes or groups without the approval of the Board; requiring the keeping of adequate records satisfactory to the Board; prescribing the contents and form of applications and certificates, and renewal thereof, and declaring an emergency."

The bill having heretofore been read second time, with committee amendment by Mr. Heflin, pending.

Question—Shall the committee amendment be adopted?

BILL SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 263, "An Act to create a more efficient road law for Randall County, etc., and declaring an emergency."

ADJOURNMENT

Mr. Bradford moved that the House adjourn until 2:00 o'clock a. m., tomorrow.

Mr. Reader of Erath moved to adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Fuchs moved to adjourn until 2:00 o'clock p. m., tomorrow.

Mr. Taylor moved to adjourn until 10:00 o'clock a. m., next Monday.

Question first recurring on the motion to adjourn until 2:00 o'clock a. m., tomorrow, it was lost.

Question then recurring on the motion to adjourn until 10:00 o'clock a. m., tomorrow, it was lost.

Question then recurring on the motion to adjourn until 2:00 o'clock p. m., tomorrow, it was lost.

Question then recurring on the motion to adjourn until 10:00 o'clock a. m., next Monday, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—71

Allison	Johnson of Ellis
Anderson	Johnson of Tarrant
Baker	Keith
of Fort Bend	Kennedy
Baker of Grayson	Kinard
Blankenship	Langdon
Boyd	Leonard
Boyer	Leyendecker
Bradbury	Loggins
Bradford	Mays
Bray	McAlister
Bundy	McDaniel
Cauthorn	McFarland
Celaya	McNamara
Chambers	Monkhouse
Cleveland	Montgomery
Cockrell	Pace
Coleman	Pope
Colquitt	Ragsdale
Cornett	Reader of Bexar
Corry	Reaves
Dickison	Roach
Dwyer	Robinson
Faulkner	Schuenemann
Felty	Segrist
Fielden	Shell
Galbreath	Stinson
Goodman	Talbert
Gordon, Mrs.	Taylor
Hankamer	Tennant
Harp	Thornberry
Harper	Vale
Hartzog	Waggoner
Heflin	Wilson
Howington	Winfree
Isaacks	Worley

Nays—64

Allen	Brown of Cherokee
Alsup	Brown
Bailey	of Nacogdoches
Bond	Burkett
Broadfoot	Burney

Clark	Morris
Colson, Mrs.	Newell
Crossley	Oliver
Daniel	Petsch
Davis of Upshur	Pevehouse
Derden	Reader of Erath
Donaghey	Reed
Ferguson	Rhodes
Fuchs	Riviere
Gilmer	Roberts
Hale	Russell
Hamilton	Skiles
Hardeman	Smith of Hopkins
Hardin	Smith
Harrell of Lamar	of Matagorda
Harris	Spencer
Holland	Stoll
Hunt	Tarwater
Kern	Thornton
Kersey	Turner
King	Vint
Lehman	Voigt
Little	Weldon
Lock	Wells
London	Westbrook
McDonald	White
McMurry	Wood
Mohrmann	Wright

Absent

Bell	Howard
Bridgers	Hull
Dean	Nicholson
Dickson	Smith of Frio

Absent—Excused

Davis of Jasper	Kerr
Dowell	Piner
Harrell of Bastrop	

The House, accordingly, at 4:30 o'clock p. m., adjourned until 10:00 o'clock a. m., next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Public Health: House Bill No. 410.
 Education: Senate Bill No. 338.
 Constitutional Amendments: House Joint Resolutions Nos. 2 and 27.
 Insurance: House Bill No. 928.
 Counties: Senate Bill No. 255.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, March 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 640, A bill to be entitled "An Act providing that the Supreme Court may grant certain attorneys who have practiced law in a State of the United States for a period of 20 years and hold a license to practice law before the Supreme Court of the United States may be granted a license to practice in the State without taking the bar examinations, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 161, A bill to be entitled "An Act giving the Commissioners' Courts authority to fix the salary of the County Treasurer, amending Section 13, Article 3912-E, Revised Civil Statutes of Texas, 1925, reducing the minimum compensation which the County Treasurer is authorized to receive, repealing all laws or parts of laws in conflict therewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 39, A bill to be entitled "An Act to amend Article 1986 of the Revised Civil Statutes of Texas, 1925, so as to provide for the joinder of more than one plaintiff in one cause of action under the conditions set out in the terms of the Act, and providing for an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 84, A bill to be entitled "An Act so as to make it unlawful for any person to place, set, drag or use any seine, net or other device for taking fish and shrimp other than the ordinary pole and line, casting rod and reel, artificial bait, trot line, set line or cast net with a spread of not more than nine (9) feet, or a minnow seine of not more than twenty (20) feet in length for catching bait or have in his possession any seine, net or trawl without a permit issued by the Game, Fish and Oyster Commission, in or on the waters of Matagorda Bay east of the Colorado River, providing for the use of spear or gig and light for taking flounder in these waters, repealing all laws or parts of laws in conflict herewith; providing when this Act shall take effect; providing for confiscation of nets, seines and other tackle for evidence and providing for penalties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 40, A bill to be entitled "An Act to amend Article 4202 of Chapter 8 of Title 69, of the Revised Civil Statutes of 1925, of the State of Texas, regulating the sales of real estate by guardians."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 76, Recalling House Bill No. 267 from the Senate.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 29, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 38, Proposing an amendment to Section 24 of Article III of the Constitution of the State of Texas, providing that Members of the Legislature shall receive a salary of Three Thousand (\$3,000.00) Dollars per annum, shall be subject to call at any time and shall be entitled to mileage at five cents (5c) a mile for each mile traveled coming to and going from the seat of government; providing for an election on the question of adoption or rejection of such amendment and making an appropriation therefor; providing for the proclamation and publication thereof and prescribing the form of ballot.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 30, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 73, Authorizing R. O. Drake to bring suit against the State Highway Department.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 30, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 75, Urging the passage of the McCarran Bill, now pending in the House of Representatives of the Congress of the United States, being Senate Bill No. 90 and House Bill No. 951.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 30, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 74, Urging the passage of a bill known as the "Truth in

Fabric", now pending in the Congress of the United States, being Senate Bill No. 3502.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 30, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 802, "An Act validating proceedings heretofore had by certain cities in Texas, other than home-rule cities, for the issuance of revenue bonds and ad valorem tax bonds for the purpose of procuring funds to construct waterworks and sewer systems for such cities, validating the bonds to be issued pursuant to such proceedings and the indentures executed and to be executed as security for such bonds, authorizing the adoption of the proceedings necessary to complete the issuance of such bonds; validating proceedings had in the incorporation of such cities; providing the manner in which the assessed valuation of taxable property may be determined in such of said cities as have not heretofore levied taxes; providing the Act shall not apply to any bonds or warrants, the validity of which has been attacked in suit or litigation now pending or which may be filed within thirty (30) days after this Act takes effect; repealing all conflicting Acts, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

FORTY-SEVENTH DAY

(Monday, April 3, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Anderson
Allen	Bailey
Allison	Baker
Alsup	of Fort Bend

Baker of Grayson	Isaacks
Bell	Johnson of Ellis
Blankenship	Johnson of Tarrant
Bond	Keith
Boyd	Kennedy
Boyer	Kern
Bradbury	Kerr
Bradford	Kersey
Bray	King
Bridgers	Langdon
Broadfoot	Lehman
Brown of Cherokee	Leonard
Brown of Nacogdoches	Leyendecker
Bundy	Little
Burkett	Lock
Burney	Loggins
Cauthorn	London
Celaya	Mays
Chambers	McAlister
Clark	McDaniel
Cleveland	McDonald
Cockrell	McFarland
Coleman	McMurry
Colquitt	McNamara
Colson, Mrs.	Mohrmann
Cornett	Monkhouse
Corry	Montgomery
Crossley	Morris
Daniel	Newell
Davis of Jasper	Nicholson
Davis of Upshur	Oliver
Dean	Pace
Derden	Petsch
Dickison	Pevehouse
Dickson	Piner
Dwyer	Pope
Faulkner	Ragsdale
Felty	Reader of Bexar
Ferguson	Reader of Erath
Fielden	Reaves
Fuchs	Reed
Galbreath	Rhodes
Gilmer	Riviere
Goodman	Roach
Gordon, Mrs.	Roberts
Hale	Robinson
Hamilton	Russell
Hankamer	Segrist
Hardeman	Shell
Hardin	Skiles
Harp	Smith of Hopkins
Harper	Smith of Matagorda
Harrell of Bastrop	Spencer
Harrell of Lamar	Stinson
Harris	Stoll
Hartzog	Talbert
Heflin	Tarwater
Holland	Taylor
Howard	Thornberry
Howington	Thornton
Hull	Turner
Hunt	Vale